

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent: 6,475,846

Date of Issue: November 5, 2002

Name of Patentee: Marotta et al.

Title of Invention: METHOD OF MAKING FLOATING-GATE MEMORY-CELL ARRAY
WITH DIGITAL LOGIC TRANSISTORS

PETITION UNDER 37 CFR §1.183

October 22, 2003

Box REISSUE

Assistant Commissioner for Patents

Washington, D.C. 20231

MAILING CERTIFICATE UNDER 37 C.F.R. §1.8(A)
I hereby certify that the above correspondence is being deposited with the
U.S. Postal Service as First Class Mail in an envelope addressed to:
Commissioner of Patents and Trademarks, Washington, D.C. 20231 on
October 22, 2003.

Robert N. Rountree

Robert N. Rountree, Reg. No. 39,347

Dear Sir:

The patent owner hereby requests suspension of the rules under 37 CFR §1.183 according to MPEP 1414.01 for the following reasons.

The patent owner (reissue applicant) mailed a Reissue Application Declaration By The Inventor (PTO/SB/51) (Declaration) to each of the patentees of the above patent on July 28, 2003. Misako Matsuoka, one of the patentees did not sign and return the Declaration. The patent owner's email correspondence is attached to document the following facts.

1. On August 7, 2003, Ms. Matsuoka acknowledged receipt of the Declaration by email.

2. On August 7, 2003, I sent Ms. Matsuoka a Word document with the proposed amendment for the reissue application and requested she review the amendment and sign and return the Declaration. No response was received.

3. On August 25, 2003, I sent another email requesting she sign and return the Declaration. No response was received.

4. On September 8, 2003, I sent Mr. Jim Brady, Deputy General Patent Counsel of Texas Instruments Inc., an email with the proposed amendment and another email advising him of the problem.

5. On October 1, 2003, Mr. Jim Brady sent an email to Ms. Matsuoka requesting her assistance and offering to compensate her for her time. No response was received.

6. Neither I nor Mr. Jim Brady have been able to determine a telephone number for Ms. Matsuoka through Lexis or other means.

In view of the foregoing, the patent owner believes this extraordinary situation requires suspension of the rule requiring all patentees to sign the instant reissue application in the interest of justice. Please charge the petition fee under 37 CFR §1.17(h) to Deposit Account No. 20-0668.

Respectfully submitted,



Robert N. Rountree
Attorney for Patent Owner
Reg. No. 39,347

Robert N. Rountree, LLC
70360 Highway 69
Cotopaxi, Colorado 81223
PHONE/FAX: (719) 783-0990

Robert Rountree

From: Misako Matsuoka [misakobert@yahoo.com]
Sent: Thursday, August 07, 2003 2:52 PM
To: rnrountree@centurytel.net
Subject: TI-18913R

I've received your letter about docket TI-18913R

Misako Matsuoka.

Do you Yahoo!?
Yahoo! SiteBuilder - Free, easy-to-use web site design software
<http://sitebuilder.yahoo.com>

Robert Rountree

From: Robert Rountree [rnrountree@centurytel.net]
Sent: Thursday, August 07, 2003 5:34 PM
To: 'misako@matsuoka.com'
Subject: RE: TI-18913R



6475846amd.doc
(84 KB)

Misako, thanks for your response. I have attached the amendment to the reissue application, so you can see the changes and corrections. If you have any questions, please contact me by email. Otherwise, please sign and return the enclosed form.

Best regards,
Bob Rountree

-----Original Message-----

From: Misako Matsuoka [mailto:misakobert@yahoo.com]
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<http://sitebuilder.yahoo.com>

Robert Rountree

From: Robert Rountree [rnrountree@centurytel.net]
Sent: Monday, August 25, 2003 8:35 AM
To: 'misako@matsuoka.com'
Subject: RE: TI-18913R

Misako, on August 7, 2003, I sent you a preliminary amendment showing changes that will be made to US Pat. No. 6,475,846. I have not heard from you since then. Also, I have not received your signed Reissue Application Declaration.

If you have not done so, please sign and return the Reissue Application Declaration to me as soon as possible in the enclosed envelope. If you have questions, please contact me by email.

Thanks and best regards,
Bob Rountree

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<http://sitebuilder.yahoo.com>

Robert Rountree

From: Robert Rountree [rnrountree@centurytel.net]
Sent: Monday, September 08, 2003 9:14 AM
To: Jim Brady (w-brady@ti.com)
Cc: Frank Cimino (fcimino@ti.com)
Subject: FW: TI-18913R

Jim, Misako's response of 8/7/03 was to the letter I mailed to:

Misako A. Matsuoka
587 Bancroft Street
Santa Clara, CA 95051-5600

I think this is either her current address or my letter was forwarded to her. My letter included a cover letter, a Reissue Application Declaration By The Inventor PTO/SB/51 (02-01), and a self-addressed, stamped envelope.

I have not received any other response from her since 8/7/03. There are several possible reasons. She may be holding out for compensation. She may have been laid off by TI. She may be generally apathetic after leaving TI. She may not check her email, etc.

Please let me know how you want to proceed.

Best regards,
Bob Rountree

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Misako Matsuoka.

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Robert Rountree

From: Robert Rountree [rnrountree@centurytel.net]
Sent: Monday, September 08, 2003 8:59 AM
To: Jim Brady (w-brady@ti.com)
Subject: FW: TI-18913R



6475846amd.doc
(84 KB)

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From: Robert Rountree [mailto:rnrountree@centurytel.net]
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<http://sitebuilder.yahoo.com>

Robert Rountree

From: Dees, Cindy [cdees@ti.com]
Sent: Wednesday, October 01, 2003 1:04 PM
To: 'rnrountree@centurytel.net'
Subject: FW: TI Patent File No. TI-18913R

Bob, Copy FYI.

Cindy

-----Original Message-----

From: Dees, Cindy **On Behalf Of** Brady, Jim
Sent: Wednesday, October 01, 2003 1:59 PM
To: 'misakobert@yahoo.com'
Subject: TI Patent File No. TI-18913R

Misako,

Texas Instruments is preparing a Reissue Application relative to US Pat. No. 6,475,846, on which you are a co-inventor. We need your assistance in this effort. Mr. Bob Rountree, outside retained counsel for TI has mailed a Reissue Application Declaration to you at 587 Bancroft St., Santa Clara, CA 95051-5600, along with a copy of a preliminary amendment showing the changes that will be made to the current patent.

Your assistance in signing and returning that document would be greatly appreciated. TI will, of course, compensate you for your time spent on this project. If you need anything further from our office, please do not hesitate to let me know.

Jim Brady
Deputy General Patent Counsel
Texas Instruments Incorporated
Ph. 972-917-4371 / Fax 972-917-4418
E-mail: w-brady@ti.com

10/21/2003